

1644

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# RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: *Mo. May 21, 1999*

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PAGES, INCLUDING COVERSHEET: *3*

PHONE NUMBER: *212-318-3168*

TO EXAMINER: *P. Gambel*

ART UNIT: *1644*

SERIAL NUMBER: *09/013,871*

FAX/TELECOPIER NUMBER: (703) 305-3704

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FOR RESPONSES TO RESTRICTIONS.**

COMMENTS: \_\_\_\_\_  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Ulrich Martin et al.  
Serial No. : 09/013,871  
Filed : January 27, 1998  
For : ANTI-SELECTIN ANTIBODIES FOR PREVENTION OF  
MULTIPLE ORGAN FAILURE AFTER POLYTRAUMA  
AND FOR PREVENTION OF ACUTE ORGAN DAMAGE  
AFTER EXTRACORPOREAL BLOOD CIRCULATION  
Group Art Unit : 1644  
Examiner : P. Gambel

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May 21, 1999

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

# 7/Election  
Goodman 05/28/99

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement of April 28, 1999, applicants elect the L-selectin species, i.e., item "B" in point 4 of the action.

The claims which read on this election are claims 1, 2, 5-11, 13-24, 27 and 28.

This election is made with traverse. The reasoning the examiner is advancing for the restriction is hard to understand. It appears that the examiner is holding via the art which he has cited that there is no patentable distinction between the antibodies. If this is the case, then there should be no restriction.

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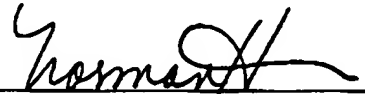
\*\* TOTAL PAGE.03 \*\*

BOER 1059.1 US - PFF/NDH

Reconsideration of the restriction requirement and withdrawal thereof is requested.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

By   
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